

**HASBROUCK RULES AGAINST GOV. SULZER**

Supreme Court Justice Dismisses Robin Writ After Banker's Pardon.

**ALL POWER IN ASSEMBLY**

Appeal May Be Taken, but Will Not Reach Highest Court Soon.

ALBANY, Sept. 11.—Justice Hasbrouck at Kingston ruled today that the Assembly acted locally when it voted to impeach Gov. Sulzer on the morning of August 13. After the articles of impeachment were adopted by a majority vote the Governor's prerogatives were transferred automatically from Gov. Sulzer to Lieut. Gov. Martin H. Glynn, he said.

Glynn remains as acting Governor until the decision of the Court of Impeachment.

Justice Hasbrouck concurs in opinion recently given by Attorney-General Carmody declaring that the function of impeachment is judicial and not legislative in character, and for that reason the Assembly could convene of itself at any time to consider impeachment proceedings against the Governor.

The question was raised in the habeas corpus proceedings instituted to compel the warden of the Blackwell's Island penitentiary to honor Gov. Sulzer's pardon of Joseph S. Robin, the banker convict. Justice Hasbrouck held that Gov. Sulzer was without power to grant the pardon.

He quashed the writ and ordered Robin sent back to Blackwell's Island. This is the first ruling made by any court on the legality of the impeachment and the right of Gov. Sulzer to continue to exercise his executive functions.

Gen. Benjamin F. Tracy and former Congressman William S. Bennett of New York were the principal attorneys who appeared for Robin. Deputy Attorney-General John T. Norton of Troy, Conn., and Counselor Watson of New York, and Senator Edgar T. Brackett, representing the Assembly impeachment managers, argued against the validity of the Robin pardon.

**May Appeal at Once.**

Counsel for Robin may appeal the case to the Appellate Division, Third Department, which is in session in Kingston, but cannot reach the Court of Appeals before the court of impeachment convenes next Thursday.

Counsel for Robin based their argument on that provision of the Constitution which says the Legislature shall have the power in extraordinary session any subject not recommended by the Governor.

"It is urged," says Justice Hasbrouck's opinion, "that the only time when the Assembly could consider the subject of impeachment was in extraordinary session, and that the subject of impeachment was not recommended by the Governor."

"The subject of impeachment, like the power of the legislative body to punish for contempt, has a different character from a subject requiring the action of both branches of the legislature and of the Governor in order that laws may be enacted. The power conferred on the Assembly to impeach the Governor is a judicial power, and the Assembly is not a legislative body."

"The power of impeachment therefore, being a judicial power of the Assembly, cannot be participated in by the Governor or the Senate and therefore does not constitute a legislative subject."

"Having no power in the premises an acting Governor could not call the Assembly into session for the purpose of impeaching an absent Governor. Neither is the Assembly shorn of its impeaching power by the summons of the Legislature in extraordinary session."

**Assembly Has Power.**

"The whole design of the Constitution, Government would fail of protecting popular right and release from oppression and wrong against those in exalted places if there were no independence nor power in the Assembly to make impeachment."

"The measure of the Governor's power is that it may impeach him. Once impeached, that function ends. What time during its yearly office the Assembly may impeach the Governor does not specify. The Assembly may impeach at any time, in regular or extraordinary session, or whether self-convened. It is the sole impeaching functionary. In the exercise of power it is beyond the let or hindrance of the Executive or the courts. It is the exclusive and final judge of the facts and of the guilt or innocence of the accused and of the acts of the Governor it may specify as grounds for impeachment."

"This great power is political. History is replete with illustrations of its use and abuse. It is reserved to the State for its preservation and the destruction of its enemies, and it is to have the control of every court except the court empowered to try the impeached and find his guilt or innocence."

"These considerations lead to the conclusion that the Governor has been lawfully and constitutionally impeached. The relator claims that even though he is lawfully impeached his disability does not fall on the Governor until the court has tried and found him guilty. But the law is otherwise. The common law and statutory right of the accused and the presumption of innocence is invoked as being at war with an interpretation of the Constitution that would warrant the suspension of the Governor from his office."

**Federal Law Differs.**

Justice Hasbrouck then points out the difference of the Federal and State Constitutions on the result of the impeachment of the President and Governor. He says: "The President by impeachment is not suspended in or ousted of his functions, and therefore the rule of the presumption of innocence remains undisturbed. Under our Constitution, if our interpretation of it is correct, this fundamental rule in the criminal law is evaded. The presumption of innocence may still be claimed by the accused, but he is out of its effectuality by his power by this provision, which needs no interpretation and which is perfectly clear, as if a judgment of conviction had been passed against him, unless he is acquitted."

**PECK SUSPENDS SULZER MAN.**

Canal Patronage Shifts Toward McCabe Again.

ALBANY, Sept. 11.—Thomas F. Slavin of Cohoes, who was recently appointed section superintendent of canals for the capital district by State Superintendent Peck, had insisted on the removal of Owen L. Kearney, was suspended today following charges of not being preferred following him by Supt. Peck.

Slavin is an adherent of State Committee member Daniel J. Dugan of Albany, who is in the race for Gov. Sulzer. Kearney is a supporter of Patrick E. McCabe.

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**SULZER AID BRANDS MACK AS GRAFTER**

Challenges Democratic National Committeeman to Answer Blackmail Charge.

**WANTS HEARING MONDAY**

Hennessy Says Buffalo Leader and Lieutenants "Sand-bagged" Contractors.

John A. Hennessy, Gov. Sulzer's investigator of graft in State departments, sent an open letter last night to Norman E. Mack of Buffalo, Democratic National Committeeman, challenging him to appear at Albany next Monday and explain the "blackmailing" and "sandbagging" of large canal and other State contractors for campaign funds, most of which Mr. Hennessy says Mr. Mack has not accounted for.

Mr. Hennessy says that if Mr. Mack will agree to appear, other witnesses will be summoned, among them "Murphy's bag man in New York." The open letter follows:

"I notice that you say you are ready to go on the stand to-day or any other day under oath and account for campaign funds received or solicited by you."

"Please appear before me on next Monday at 10 A. M. in room 250 of the Capitol, Albany, and be prepared to tell under oath all you know about the blackmailing of corporations and the sandbagging of persons only generally known in public life."

"I notice you sidestep my proposition which involves your connection with the campaign funds and the largess then committed by you, Father of Rochester, Fowler of Kingston and Murphy's men Donohue of New York, not to speak of Kelley of Syracuse. You are mentally an incontinent man."

**Call Mack's Aids Bagmen Too.**

"You offer to tell all you know about last year. I want you to tell under oath all you and your friend Fitzpatrick and your friend Kelley of Syracuse and your fellow bagman Fowler and your addition of large canal contractors, road contractors and others known to me, you will come to Albany next Monday morning at 10 o'clock prepared to tell under oath just what you did with certain checks and certain cash received since 1910; you will be prepared to tell under oath why some of this was not accounted for, and you will tell your fellow citizens why certain men doing work for New York State were blackmailed by you and your pals in the blackhand outfit."

**Hennessy Demands Receipts.**

"Don't come to Albany unless you are ready to answer all questions and to produce all vouchers. Bring with you all the receipts you have from McLean of Newburgh. Bring all the receipts you have from him in 1910 and 1911."

"Don't dodge this thing in order to make your way clear in the primaries of next year."

"I will summon Fowler of Kingston, Pallace of Rochester, Kelley of Syracuse and Murphy's bagman in New York. I want them present to corroborate you. You must come and say you don't remember. Be a man all the way and accept my challenge as to the blackmail. If Pallace runs away and Kelley runs away and Fowler runs away at least bring McLean of Newburgh to confirm you, and if he produces the books I'll put him in jail."

"You can't make any bluff on the eve of the primaries. You must stand or fall. I'll stand or fall. Mayor Furman will stand or fall."

"You say you will take care of me. I'll be in Buffalo on next Wednesday to inquire into your conduct. Fitzpatrick. You can take care of me then."

"Your deputy boss is Fitzpatrick, as I'll prove. At the same time I'll prove that you denied them (Mack's associates) as a modern Judas Iscariot would betray."

**IMPEACHMENT HEARING TO-DAY.**

It's Scheduled, Anyhow, but Board May Not Sit in Public.

The board of managers of the Sulzer impeachment are scheduled to begin a public hearing at 9½ street at 10:30 o'clock this morning, but they may not do so. There are indications that the managers are merely holding the threat of public hearings over the heads of certain reluctant witnesses in order to get them to tell what they know in private.

Lawyer Isidor Kresel, who is working up the prosecution's case, has already examined forty-six witnesses in his office adjoining the board room. Subpoenas have been issued for sixteen others.

Most of the desired testimony has to do with official acts of Gov. Sulzer since January 1. The board of managers are concentrating their efforts on getting evidence to support those articles of impeachment charging Mr. Sulzer with misconduct since he became Governor. They are not at all anxious to let Mr. Sulzer and his counsel into the secrets of this evidence in advance of the trial, hence their reluctance to question the new witnesses in public.

Aaron J. Levy, chairman of the impeachment managers, had a five hour conference with Mr. Kresel yesterday. They went over the testimony already in hand, but neither would talk about it when they separated. One of the board of managers said last night that "big revelations" are expected from among the sixteen men who have been subpoenaed.

**WANT TO SHOW AT FRISCO.**

League of German Industries Unanimously Favors Plan.

Special Cable Dispatch to THE SUN.  
BRUSSELS, Sept. 11.—At a meeting held here to-day of the League of German Industries it was unanimously resolved to support the movement for a German exhibit at the San Francisco exposition provided exhibits worthy of German industry can be collected.

**WILSON'S TRUST IN HUERTA IS WANING**

Washington Officials Admit Mexican President Has Given No Promise.

**ELECTION NOT CERTAIN**

Preparations Which Usually Take Three Months Not Begun Yet.

WASHINGTON, Sept. 11.—The entire structure of optimism which President Wilson built up in his mind for the success of his plan to bring about peace in Mexico has come down clattering. High officials made no secret to-day of the fact that President Wilson has finally concluded that the situation in Mexico City is like quietness and that there is but little firm ground upon which to base a belief that Gen. Huerta will not be a candidate to succeed himself.

The President has no information as yet that preparations have been made for holding the Presidential elections in Mexico next October. Under the Mexican election law preliminary work covering a period of more than three months is required before the election can be held. Furthermore it was made known to-day that the President will not receive any personal representative of President Huerta, who arrived in Washington yesterday, until the election is required before the election can be held. The President will not receive any personal representative of President Huerta, who arrived in Washington yesterday, until the election is required before the election can be held.

**Zamacoena to See Bankers.**

The belief on the part of the President and other Government officials that Manuel Zamacoena, who arrived in Washington yesterday, had come as Huerta's representative and that he would soon request that he be received was exploded to-day. Senator Zamacoena left Washington yesterday afternoon for New York, where it is understood he will see bankers interested in Mexican finances, especially those already holding Mexico's notes and bonds.

The misapprehension of the Administration with regard to Zamacoena grew out of the fact that a letter was received asking whether a personal representative of President Huerta would be welcome in Washington. Before a reply could be made to this inquiry Senator Zamacoena sailed from Vera Cruz and the press despatches said that he was Huerta's chosen representative. The Administration officials assumed that to be the case and left Huerta's inquiry unanswered, feeling that Huerta should have awaited a reply to his inquiry before permitting his representative to sail. It now appears that Zamacoena is not the man Huerta had in mind for the mission and thus another faux pas has been added to the long list in the Mexican negotiations.

**Lind's Notes Personal Comment.**

It was learned to-day that in the last several days the communications President Wilson has received from Mr. Lind and Charles D'Affaires O'Shaughnessy have been only in the nature of their own comment on previous developments in the situation. These communications have not added anything to the President's information, and in fact have been so worded as to leave no doubt expressed in Huerta's intention not to be a candidate that the President's confidence in the situation has finally been shaken.

The Mexican foreign office, upon representations from Mr. O'Shaughnessy, has directed the military governor at Chihuahua to take immediate action in investigating the killing of Edward Hayes and John Henry Thomas at Matamoros by the forces under Francisco Cordova.

**NO MORGAN LOAN.**

Banker Says It Would Violate Neutrality Policy.

It is practically assured that the big bankers of this country will not lend money to Mexico. The confidence relation existing between that country and the United States. The mission of Manuel Zamacoena, who is in this country supposedly as the personal representative of President Huerta and who is expected to sound the situation in New York regarding a loan, will fall from a financial standpoint as long as the attitude of the Administration at Washington remains unchanged.

It was reported that Manuel Zamacoena was in the financial district yesterday, though representatives of the large international banking houses declared that he had not visited their offices.

The attitude of J. P. Morgan & Co. on the question of lending money to Mexico under the present conditions was set forth by J. P. Morgan during the day.

"We certainly shall not lend money to Mexico," he said, "because under the present policy of our Government toward Mexico I should regard such lending as a violation of the neutrality with Mexico that the Administration maintains. In my opinion a loan to Mexico would be an act against this Government and its policy."

"The United States has issued an edict of absolute neutrality. The sending of arms and munitions of war to Mexico is prohibited. Money is certainly the most valuable of all munitions and in my opinion comes strictly under this prohibition. Naturally I cannot say what other bankers will do on the question of lending money to Mexico, but most certainly we shall not while the present policy of our Government continues in force."

It is believed that the attitude held by the Morgan firm on a Mexican loan is shared by the other large international banking houses here.

**MEXICANS SEIZE TEXANS.**

Ammunition Smugglers Fight Sheriff's Posse Near Border.

AUSTIN, Tex., Sept. 11.—In a fight to-day at Carizze Springs, in Dimmitto county, Texas, near the Mexican border, between a Sheriff's posse and a band of ammunition smugglers, two of the Mexicans were killed and two deputy Sheriffs, Bucking and Ortiz, were captured by the smugglers and carried off.

In an effort to rescue the men another posse has started out from Carizze Springs. Gov. Colquhoun has ordered rangers to the scene of the conflict.

Hayes to Enter Strong Team.  
On Saturday, September 20, the Holy Name Federation, composed of 20,000 members of the various Catholic parishes of Hudson county, N. J., will hold a novice set of games at the Jersey City baseball grounds. The games will be on the program. Johnny Hayes of Olympic Marathon fame will enter a strong team from the Holy Name Society of St. Paul of the Cross, which he is now coaching.

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**RICHARD H. HOOD'S MARITAL WOES AIRED**

Rich Contractor's Wife Calls "Plain and Sweet" Marriage Contract a Failure.

**NAMES A CORRESPONDENT**

She Is Highly Educated Plain-field Girl, Where All Parties Are Well Known.

NEWARK, Sept. 11.—One of the exhibits introduced in the final hearing before Vice-Chancellor Stevens in the divorce suit brought by Mrs. Frances Sparks Hood of Plainfield against Richard Hood, a retired engineer and contractor, was the "rules and regulations" for the guidance of the family. It was agreed that the husband would be "plainly and sweetly" to apprise his wife of any faults he might see in her and that Mrs. Hood was to do the same "plainly and sweetly."

It was in the first year of the married life of Mr. and Mrs. Hood that the rules and regulations were decided on, but some years later, according to her own story, Mrs. Hood induced her husband to write out for her three days after the wedding was offered in the divorce suit. According to Mrs. Hood, the regulations were to be "plainly and sweetly" to apprise his wife of any faults he might see in her and that Mrs. Hood was to do the same "plainly and sweetly."

Counsel for Mrs. Hood brought out that the meaning of "no fins" was no hitting her with his hands. Mrs. Hood said that she and her husband were married in July of the year 1901 at Kennebunkport, Me. In April, 1902, they opened a handsome residence at 541 Estelle avenue, Plainfield, and the title was put in Mrs. Hood's name. According to Mrs. Hood she lived the first seven years with her husband happily, but in 1908 her happiness was spoiled at times by her husband's ill temper.

"He had two husbands," she said. "One was most lovely and the other cruel, and often the latter nature would get the upper hand."

A letter which Mrs. Hood said her husband gave her on the eve of his departure for India was offered in evidence. It said that after ten years trial Mr. Hood found it impossible to live happily with his wife because of incompatibility and that he would continue to support her. That night Mrs. Hood went to live in New York and on November 3 sailed for Naples with a sister. A reconciliation was effected in Paris the following February and they returned together.

About two months later, toward the end of April, Mrs. Hood was told that her husband was to live in another part of the house. She declared that he always "ordered," never requested. Her suspicions as to his faithfulness were aroused when she found a note from him to an engaged private detective and after making an investigation filed a petition for divorce, naming Miss Dorothy Hoyt of Plainfield as correspondent.

Miss Dorothy Hoyt, of Plainfield, who was a sister of the late Mrs. Frank R. Hoyt, also of Plainfield, was called to the stand and testified that Dorothy Hoyt is a founding, though not a partner, in the eighteen years ago by Mr. Hoyt and adopted. Mrs. Hoyt, she said, died in Belgium in 1910 and Hoyt then came to Plainfield with his adopted daughter, Miss Dorothy Hoyt, and his daughter attended the same church as Mr. and Mrs. Hood and moved in the same social circles.

At the death of Mrs. Hoyt, the witness testified, she took her place in the household. She declared that Dorothy was educated abroad and speaks French, German and Italian.

The case will be resumed to-morrow.

**GAVE AWAY CHILD AT BIRTH.**

Mrs. Hike Says She and Her Husband Were Poor.

PHILADELPHIA, Sept. 11.—Mrs. Marjorie Hike, wife of Dr. Charles L. Hike, former University of Pennsylvania football player, admitted to-day that she is the mother of six-year-old Marjorie Hike, the adopted child of Dr. Leonard Sharp.

"Without a trace of feeling the former Swarthmore student said:

"I believe a mother has a right to let her child be adopted by whomsoever she wishes. We were in no position then to be burdened by a child. The doctor was a student and after he was graduated he was poor and struggling to get a practice."

**REPUTED RICH, DIED BANKRUPT.**

Williams Charged With Forgery Names of Several Persons.

BOSTON, Sept. 11.—Instead of amounting to \$1,000,000, as had been supposed, the estate of the late Dr. George E. Williams of Braintree, for years general agent of the Connecticut Mutual Life Insurance Company here. At the hearing on the will claims aggregating between \$500,000 and \$600,000 were presented. Charges developed that questionable, although part of it was secured. Several hundred thousand dollars in notes are not, given by various people and endorsed by Mr. Williams, upon which he borrowed money. Many are genuine and some are admitted to be forged by the Duke of Devonshire, the Marquis of Salisbury, and others.

Dr. Williams, who was a well-known physician in Braintree, was reported to have been "exchanged" with others.

**BELIEVES WOMAN IN RIVER WAS HIS WIFE**

Casper Janin, an Italian Waiter, Positive in Identification of Torso.

**CLUE POINTS TO PHYSICIAN**

Story Told by Brooklyn Man of Lost Sister Interests Police.

The mystery of the woman who was murdered, her body cut up and thrown into the Hudson River, came nearer solution yesterday when the police of New Jersey and New York city discovered two new and promising clues on which to work. For the first time since the police started their investigation a feeling of optimism was evident on the part of the detectives.

The first clue was the seeming identification of the torso of the murder victim now in Volk's morgue, Hoboken, by Casper Janin, an Italian waiter of 303 West Thirty-third street, Manhattan, who said the body was that of his wife, who deserted him several years ago.

The second clue was the story told by a young man in Brooklyn who thinks his sister was the victim of a married physician with whom she was infatuated. Accompanied by detectives from the Butler street station, Brooklyn, he spent the afternoon in an effort to have H. S. Hurwitz, the well-known doctor, identify the body of the victim in which parts of the victim's body were wrapped, identify the purchaser from a group photograph of graduates of the class of 1911, Long Island College Hospital.

The young man then called at the second hand store of George Sachs, where the pillow found with the woman's body was purchased, but the doctor failed to identify any of the men in the photograph.

Other developments yesterday were the establishment of the fact that the part of a leg found at Keanburg, N. J., belonged to the murdered woman's body and that Miss Lucy Smedes of Keyport, N. J., at first believed to have been the victim, was alive and well in Kingston, N. Y.

**Says Birthmarks Are Alike.**

The clue which occupied most of the detective time yesterday was the statement of Casper Janin that the birthmarks on the torso in the Hoboken morgue were the same as those on his wife's body. After his visit to the morgue shortly before noon Detective Charlock of Prosecutor Hudspeth's office in Hudson county and detectives of Inspector Faurot's staff in New York city started an investigation. So good was the clue considered that the detectives refused at first to tell his name for fear of giving an alarm to the slayer.

"I am sure the body in the morgue is that of my wife," Janin told the police after viewing the body. "I know because she had those birthmarks. Our six-year-old child also has them."

Janin said his wife, who was a Spanish girl, in Barcelona about seven years ago. She was then 15 years old. In May, 1912, she left me and came to New York. I went to Turin, where I became a chauffeur. Then, about a year ago, I came to New York to look for her. I finally found her living with a man of bad reputation at 18 West 104th street. This man was Vincenzo Planelli.

"I succeeded in making her come back to me, but on August 26 she again left me and went to this man. Later I called and asked him where my wife was. He told me that she had left, but would not tell me where she was."

Janin added that he had been a rich merchant in the northern part of Italy before his marriage. He is now a waiter, according to the police.

**Brother's Story Differs.**

At 18 West 104th street, where Vincenzo was said to live, John Planelli, his brother, told a different story, as follows: "I went to Turin, where I became a chauffeur. Then, about a year ago, I came to New York to look for her. I finally found her living with a man of bad reputation at 18 West 104th street. This man was Vincenzo Planelli."

Dr. George W. King, county physician, and his assistant, Dr. Hastings, after their trip to Keanburg, N. J., where the part of a leg was found, said they were convinced that it was a part of the murdered woman's body. It fitted perfectly the lower portion of the torso.

The mysterious man who was seen last Thursday night carrying two suit cases on a Palisade street car near Edgewater, N. J., is being sought by the police as the slayer of the woman who was found in the river. The man may have been one of the severed parts of the murdered woman's body. The man boarded the car about 11:30 o'clock near North Bergen. At the time he was carrying two suit cases and a light blue suit, a shirt open at the neck and a dark grey cap. The man, the conductor said, bulged at the sides and appeared very heavy.

The police of the Weehawken station are of the opinion that the man was the slayer of the woman who was found in the river. The man was seen carrying two suit cases and a light blue suit, a shirt open at the neck and a dark grey cap. The man, the conductor said, bulged at the sides and appeared very heavy.

**Girl Saw Floating Head.**

Miss Grace Cure, 17, years old, of Bayonne, N. J., while rowing about 200 feet from the shore of the upper bay Tuesday saw a head in the water. The girl says the hair on the head was black and about a foot long. She says it trailed after the head, which was floating face upward. The features were sharp and clear, the girl said. She became frightened and made no attempt to get the head.

The head is believed to have been the same one which was seen floating in the lower bay below Tottenville the day before.

The Brooklyn police are responsible for the discovery of the young man who said his sister who was infatuated with a young married physician has been missing since August 1.

The young physician has an office somewhere in Manhattan, the officer brother said, but he would not tell where.

**PROBES GIRL'S DEATH IN WOMAN'S HOTEL**

Coroner Seeks Further Light on Case Reported From the Martha Washington.

**PLANELLIS SEEN IN HAVANA**

Arrives on Boat From New York, but Immediately Disappears.

**GIVING PARTY; ARRESTED.**

Clerk Accused of \$5,300 Shortage Taken While Acting as Host.

When detectives went last night to arrest James G. McCollum, a 320 a week employee of the firm hired expert accountants to find out how he had come to be short \$5,300. They found him and his wife preparing to entertain a dinner party of twelve friends in their well furnished apartment at 1160 Bryant avenue, The Bronx.

McCullum, who is 22 years old, has been employed for a year by the American Pressing Iron Company at 48 East Eighth street. A week ago the members of the firm hired expert accountants to find out how he had come to be short \$5,300. They found him and his wife preparing to entertain a dinner party of twelve friends in their well furnished apartment at 1160 Bryant avenue, The Bronx.

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**OSBORNE ATTACKS COLBY ON "TRUSTS"**

Rivals for Jersey Gubernatorial Nomination in Tilt at Newark.

NEWARK, N. J., Sept. 11.—Former State Senator Everett Colby and Edmund B. Osborne, his rival for the Progressive nomination for Governor in New Jersey, met in a debate in the Rutgers Auditorium here to-night. The hall was crowded with supporters of the candidates.

Each of the speakers was allowed one hour and a quarter and was called upon to answer the questions asked by the other. The candidates tossed for positions and Osborne won. He decided to speak after Colby.

Mr. Colby admitted that he was opposed to municipal ownership of public utilities, but said that he favored a law that will give the people the opportunity of "initiating" their own legislation on this question, so that if a majority so decides without the Legislature shall pass a law giving every municipality the right to take over any public utility it may care to own and operate.

Taking up the question of the regulation of trusts, Mr. Colby declared that in his opinion if all methods of unfair competition were prohibited, such as stock watering, selling below cost in certain sections to destroy competition, refusing to sell to customers who trade with competitors, making combinations to control prices, limiting output and dividing territory, no trusts of harmful scale could be organized and those that are now existing would contract or be dissolved.

He repeated that he believed in the initiative and referendum and the recall of judicial decisions. Regarding the recall of judges, Mr. Colby said that the Massachusetts plan. He also declared for home rule, short ballot, easy method of amending the Constitution, pure food regulations, no injunction in strike cases without investigation, improved health service and the adoption of a scientific method of making up the State budget.

In his speech Mr. Osborne proposed that the Progressive party undertake to abolish all big forms of privilege by which the many are robbed of the fruits of toil to enrich the few. The national Government, he said, should take over and operate the great natural monopolies, which are national in their scope, the railroads, the telephones and the telegraphs.

I believe that a big majority of the people are now ready for government ownership of railroads and these other utilities," he said. "It is my hope that the national Progressive party will declare for that principle before entering the campaign next year."

I propose that the Progressive party in New Jersey shall begin the war of privilege now by declaring for a law that will give every municipality the power, by majority vote, to take over and operate its gas, electric light, trolley and water service. This will save the people of New Jersey millions of dollars annually that are now taken away from them in excessive prices for the water, gas, electric light and bonds of the public utility companies."

Mr. Osborne declared that Mr. Colby was opposed to government ownership of railroads and other utilities. He said that Mr. Colby would allow the railroads and other trusts to continue their monopolistic power and has no other remedy for the evil of monopoly than the futile policy of control by regulation.

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MANHATTAN  
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Sixth Avenue bet. 48th and 49th Sts.  
Lexington Ave. cor. 124th Street  
Grand Street cor. Clinton Street